



# STAFF REPORT

<b>CASE:</b>	<b>ZC14-12</b>
<b>EXISTING ZONING</b>	<b>B-G DO-B (CD)</b>
<b>APPLICANT:</b>	<b>JEFF CARTER (ENGINEER)</b>
<b>PROPERTY OWNER</b>	<b>MINT HILL PARTNERS, LLC</b>
<b>LOCATION</b>	<b>6828 MATTHEWS MINT HILL ROAD</b>
<b>TAX PARCEL NUMBER</b>	<b>PORTION OF 195-182-31</b>
<b>REQUEST:</b>	<b>CONDITIONAL ZONING TO ALLOW DRIVE-THROUGH RESTAURANT</b>
<b>STAFF RECOMMENDATION</b>	<b>APPROVAL W/ RECOMMENDED CONDITIONS</b>

## APPLICATION SUMMARY:

The applicant is requesting approval of a drive-through restaurant in accordance with the attached Zoning Plan and the Downtown Code.

Drive-through facilities are subject to the issuance of a Conditional District rezoning approval.

## PLAN CONSISTENCY:

Mint Hill Land Use Plan	Yes
Downtown Master Plan	Yes (see comment below)
Mint Hill Comprehensive Transportation Plan	Yes
MUMPO Thoroughfare Plan	Yes
Pedestrian Plan	Yes

The proposed commercial layout deviates slightly from the recommended building configuration recommended in the Downtown Master Plan. In general, however, the proposal is consistent with the Downtown Master Plan



*Conditional District decisions shall be made in consideration of identified relevant adopted land use plan (i.e. Downtown Master Plan). Conditional District rezoning is a legislative procedure under which the Board of Commissioners has the authority to increase, tighten, add, vary, modify or waive specific conditions or standards. In approving a petition for the rezoning of property to a Conditional District the Board of Commissioners may request reasonable and appropriate conditions.*

**STAFF RECOMMENDATION:**

Staff recommends approval with the following recommended conditions of approval:

1. Relocate the dumpster to the rear parking area with appropriate screening (*location and enclosure type must be indicated on the Zoning Plan for consideration at the Commissioners January 8 meeting*)
2. **Add the following Zoning Plan notes:**
  - Exterior building lighting shall be decorative (full cut off type)
  - The applicant agrees to maintain a solid hedgerow to serve as a low wall at no less than 4 feet in height (36" at time of planting), mirroring the exact landscaping theme on the opposite side of Brighton Park Drive.
  - Crosswalk markings crossing the driveways will be maintained by the property owner
  - Applicant agrees to construct and maintain a 4 foot brick wall as depicted on the Zoning Plan
  - All landscaping shall be maintained in a good and healthy condition (including the street trees planted within the right of way that borders the site)
  - Street Trees along Hawthorne Drive shall be planted in a planting strip no less than 8 feet in width
  - All meter banks, backflow preventers and HVAC equipment (including rooftop equipment) shall be screened from adjoining properties, Hawthorne Drive, Brighton Park Drive and Matthews-Mint Hill Road. Meters will not be installed on the front elevation facing Matthews Mint Hill Road
  - Development of the site will be governed by the Zoning Plan (including architectural renderings) as well as the applicable provisions of the Unified Development Ordinance

**STAFF CONTACT:**

Planning Staff  
704-545-9726